

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

MARK W. CAHALAN,)	
)	Civil Action No. 05-0309
Plaintiff,)	
)	
v.)	
)	
AMERIQUEST MORTGAGE CO.,)	Judge Lancaster
)	
Defendant and)	Magistrate Judge Caiazza
Third-Party)	
Plaintiff,)	
)	
v.)	
)	
BEATRICE M. CAHALAN,)	
)	
Third-Party)	
Defendant.)	
)	

MEMORANDUM ORDER

On March 9, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On April 17, 2006 the magistrate judge issued a Report and Recommendation (Doc. 25) recommending that the District Court grant the Defendant's Motion for Judgment on the Pleadings (Doc. 18). Service of the Report and Recommendation was made on the parties. No objections were filed. After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation the following order is entered:

AND NOW, this 10th day of May 2006, IT IS HEREBY ORDERED that the Defendant Ameriquest's Motion for Judgment on the Pleadings (Doc. 18) is **GRANTED** and that all pendent claims be dismissed.

The Report and Recommendation of Magistrate Judge Caiazza dated April 17, 2006 is hereby adopted as the opinion of the court.¹



Gary L. Lancaster
Gary L. Lancaster
United States District Court Judge

cc:

Francis X. Caiazza
U.S. Magistrate Judge

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¹On April 24, 2006, a Conditional Transfer Order (Doc. 26) was filed in the District Court for the Western District of Pennsylvania on behalf of the Judicial Panel of Multidistrict Litigation. The order begins the process of transferring this matter to the Northern District of Illinois (Eastern Division) for coordinated pre-trial proceedings pursuant to 28 U.S.C. 1407 with other civil actions relating to Ameriquest mortgage lending practices. As of May 8, 2006, the Clerk's Office in the Western District of Pennsylvania advises that this court retains jurisdiction pending receipt of a second transfer order from Illinois. Because the Memorandum Order signed today in this court disposes of this matter, the need for transfer and further consideration may be eliminated.